

## 1 HOUSE RESOLUTION NO. 3

2 INTRODUCED BY BARRETT, BITNEY, R. BROWN, FUCHS, HURWITZ, JACKSON, LASZLOFFY, MOOD,  
3 MORGAN, A. OLSON, RIPLEY, ROSS, BOOKOUT-REINICKE, BRUEGGEMAN, E. CLARK, DEVLIN,  
4 EVERETT, KASTEN, LAMBERT, MAEDJE, MALCOLM, B. OLSON, PETERSON, ROBERTS, SALES,  
5 SCHRUMPF, SHOCKLEY, STEINBEISSER, WAGMAN, WITT

6 BY REQUEST OF THE JOINT SELECT COMMITTEE ON DISTRICTING AND APPORTIONMENT

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8 A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REJECTING THE  
9 LEGISLATIVE PLAN THAT THE MONTANA DISTRICTING AND APPORTIONMENT COMMISSION  
10 SUBMITTED TO THE LEGISLATURE.

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12 WHEREAS, the Montana Districting and Apportionment Commission submitted its legislative redistricting  
13 plan to the Legislature on January 6, 2003, as required by Article V, section 14, of the Montana Constitution; and

14 WHEREAS, the Joint Select Committee on Districting and Apportionment has received and considered  
15 testimony on the plan; and

16 WHEREAS, the House of Representatives contends that the 5% population deviation allowance  
17 contained in the plan was used for partisan gain, that the Constitution is clear in language that the districts "shall  
18 be as nearly equal in population as is practicable", and that a 1% population deviation, or less, is both practical  
19 and possible; and

20 WHEREAS, the House of Representatives contends that the majority of the Commission ignored the  
21 mandatory, constitutional criterion of "compact" districts in creating several House and Senate Districts that are  
22 over 200 miles from one end to the other; and

23 WHEREAS, the House of Representatives contends that the American Indians have been isolated and  
24 that other minority groups were ignored when several districts in Montana were established; and

25 WHEREAS, the House of Representatives contends that race was used as the predominant criterion  
26 in tentatively establishing six House Districts and three Senate Districts in blatant violation of the mandatory  
27 criterion that race may not be the predominant factor to which the traditional discretionary criteria are  
28 subordinated; and

29 WHEREAS, the Commission failed to adopt a criterion of consideration of existing district lines as the  
30 previous Commission had adopted; and

